

## REMARKS

Claims 83 - 103 are pending.

The rejections are addressed through a combination of amendment, traverse and arguments provided below. Reconsideration is respectfully requested. Note that all the independent claims have been amended to distinguish over Cohen, and, on that basis, all other rejections (which depend on some combination of Cohen and another reference) are believed to be moot at this time.

### Response to rejection of claims 83 – 87, 92 and 96 in light of Cohen (US 5,769,948)

As noted in prior responses, the above claims were rejected solely under §102(e). The Applicant notes that the key disagreement at this time appears to center on the fact that the Examiner believes that Cohen inherently allows for an author “...to direct..” that the electronic message be transmitted even if it falls within the prohibited word list. At the same time the Applicant notes that the Examiner does not dispute that Cohen does not allow the user to *actually transmit* the electronic message to any recipient using that system if the electronic message is deemed within the profanity filter.

Thus after considering the Examiner’s comments Applicant believes that the claim can be easily amended to better distinguish over this difference in Cohen. To wit, the claim now recites not that the author can “direct” that the message be sent, but also that the message is *indeed* sent with the system:

...wherein the author of the email message can cause the email message to be transmitted by the computing system to said intended recipient even if words in such email message still fall within said language filter.

Again Cohen specifically mandates that the user must remove/edit the content (words) of the message before it can be actually transmitted to an intended recipient:

“...At step 520 the user edits said selected file 480, **therein “editing out” profane language** that is captured in brackets (see steps 270 and 280, FIG. 2). Said brackets thereby serve the user in locating and eliminating the profane language that had previously prevented the message from being sent. At step 530, **the edited message may be filed** (step 90, FIG. 1) and the user given the option to re-send said message (step 120, FIG. 1) (emphasis added).

This can be confirmed from examining block 520 in FIG. 5; EVERY offending

message in Cohen MUST be edited to pass the profanity filter or it will not be transmitted. In col. 4, ll. 66 – 67 Cohen further states: “...the user may elect to edit the undeliverable message before attempting to re-send it...” The use of the terms “undeliverable” and “attempting” clearly indicate that the uncertainty associated with actually delivering the message exists until the user conforms the message.

Given that there is no serious dispute that Cohen cannot function in this fashion, Applicant submits that the claims clearly distinguish thereover at this time.

The arguments concerning inherency are no longer considered relevant, but to the extent the Examiner believes otherwise Applicant incorporates by reference the argument submitted in the December 4 2006 Response.

Consequently Applicant submits that anticipation under the “inherency” argument cannot be supported based on Cohen, and for that reason the claim is clearly allowable.

Dependent claims 84 – 87 and 92 should be allowable for at least the same reason.

Independent claim 96 contains a similar limitation as claim 83 and thus should also be allowable for substantially the same reason.

#### Response to rejection of claims 88 - 89 and 97 in light of Cohen (US 5,769,948) taken with Ishikawa (5,812,863)

Claim 88 depends from claim 83, and as such should be allowable for at least the same reason as the latter.

With respect to dependent claims 89 and 97: again, each depends in some fashion from claim 83, and as such should be allowable for at least the same reason as the latter. Moreover, as explained before, the claim has been amended to make it clear that there are two separate files for the two separate dictionaries. Again Ishikawa does not show separate files for dictionaries; a single dictionary file is used which contains words with multi-value codings.

In the Examiner’s response he suggests that Ishikawa uses two separate dictionaries. However it can be seen in col. 4, l. 48 that Ishikawa’s only reference to a separate file is in connection with a “supplemental” dictionary which is added to the main dictionary for

detecting misspellings. The implication is clear that only a single dictionary is ever consulted during operation of the Ishikawa system. As explained before, in the embodiment of claims 89, 97, the modularity of dictionaries makes the systems more flexible. To make this distinction clear, therefore, Applicants amended claim 89; as noted, for claim 97, the citation to FIG. 5 does not in fact show separate dictionaries. 1

Response to rejection of claims 90, 91, 93, 98 and 99 in light of Cohen (US 5,769,948) taken with Russell – Falla (6,675,162)

Claims 90, 91 depend from claim 83, and as such should be allowable for at least the same reason as the latter. Moreover, while the Examiner cites Russell-Falla at c. 5, ll. 34 – 51, this section of the reference has nothing to do with the present claims. The citation mentions setting a threshold on a browser, not on the web page in question. These are not thresholds being used by an author of an email message; they are thresholds being used by a web surfer looking at web pages.

The Examiner appears to be relying on some strained interpretation of Russel-Falla in which a web browser could also be a web page author. This may be true, but it still does not teach or suggest that the language filter is associated with the email message as set out in claim 83/90, allowing the author to control the content of the email message. Russell-Falla merely allows the browser to control whether and what parts of the email message they see after the latter is composed.

Concerning independent claim 93; this claim should be allowable for at least the same reasons as claim 83 based on the distinctions over Cohen. Moreover Applicant incorporates by reference the arguments already set forth against the Russel-Falla reference. It does not teach or suggest the limitation of claim 93:

....setting a sensitivity threshold provided by the author to also be used in connection with checking appropriateness of content included in the email message

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1 FIG. 5 of Ishikawa also does not show a separate dictionary; it merely shows components/sections of the single dictionary file.

The Examiner cites col. 5, ll. 33+ of Russel – Falla. Again, see above; the reference says nothing about allowing authors to control the content of their messages.

Accordingly this claim is believed to be distinguishable over the cited combination, which does not permit the author of the document to adjust a sensitivity threshold.<sup>2</sup>

Claims 98 – 99 should be allowable for essentially the same reasons as claim 93.

Response to rejection of claims 94, 95 and 100 - 103 in light of Cohen (US 5,769,948) taken with Rayson (5,761,689)

Independent claims 94 – 95 should be allowable for the same reasons as claim 83 previously discussed.

Moreover with respect to the argument that Rayson can be combined with Cohen; the former is directed to a word processing tool. Cohen is primarily an email filter; thus in Cohen the message is checked only after it is completely composed. There is no mention whatsoever of what the message composition program looks like, or how it could be modified to accommodate the change now suggested by the Examiner. In other words, Cohen only shows filtering a message as it goes through the last part of a message router. There is no suggestion or explanation of how one could incorporate the filtering aspects at step 80 (Fig. 1) let alone incorporate the immediately after in time related features of Rayson. Thus the Examiner is trying to modify Cohen with characteristics that are not supportable.

Independent claim 100 should be allowable for the same reasons as claims 83 and 94 – 95 previously discussed. Dependent claim 101 should be allowable for at least the same reasons.

Independent claim 102 should be allowable for the same reasons as claims 83, 94 – 95 and 100 previously discussed, and for the reasons set out in the prior response.

Dependent claim 103 should be allowable for at least the same reasons.

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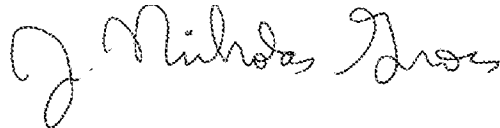
<sup>2</sup> Again no admission or inference should be drawn from the present record as to the nature or scope of other claims issued or pending to the Applicant to such subject matter which do not specifically recite the language at issue here for this claim.

## CONCLUSION

The references and rejections have been addressed in detail, and Applicant submits that he claims should be allowable over the same.

Should the Examiner believe it that it would be helpful to discuss any of the above points in person, Applicant is open to a telephone conference (510 – 540 - 6300) at any convenient time.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "J. Nicholas Gross".

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